

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:19-00148

JOSEPH R. ZIEGLER

**MEMORANDUM OPINION AND ORDER**

Pending before the court is defendant's "Motion for Indigent Demand For 8/13/19 Hearing Transcripts For Jury Trial". ECF No. 62. In that motion, Ziegler, who is proceeding pro se but has been found to qualify for court-appointed counsel, asks for a transcript of witness testimony from the suppression hearing on August 13, 2019, so that he might use that testimony to impeach those witnesses at trial. Defendant's motion is **GRANTED** and his standby counsel is directed to take steps to secure a transcript of the suppression hearing (witness testimony only) by the close of business on August 16, 2019. Defendant is reminded, however, that any use of the prior statements of witnesses is governed by the Federal Rules of Evidence.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record, to the United States Marshal for the Southern District of West Virginia, and to the Probation Office of this court. Standby counsel is to see that Mr. Ziegler receives a copy of this Memorandum Opinion and Order.

IT IS SO ORDERED this 16th day of August, 2019.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge